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TO: U.S. Patent and Trademark Office
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FROM: Guy M. Tucker
Reg. No. 45,302

COMPANY: Gollamudi S. KISHORE
Group Art Unit: 1615

PHONE NUMBER: 650-620-5501

FAX NUMBER: 1-571-273-8300

FAX NUMBER: 650-620-6395

PHONE NUMBER:

DATE: August 17, 2007

RE: U.S Patent Application No.: 10/612,378
Confirmation No.: 3703
Docket No.: 0005.15

TOTAL NO. OF PAGES INCLUDING COVER: 6

DOCUMENTS SUBMITTED

Transmittal PTO/SB/21
Notice of Appeal (2 pages plus a duplicate)

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PTO/SB/21 (04-07)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number 10/612,376

Filing Date July 1, 2003

First Named Inventor John S. PATTON

Art Unit 1615

Examiner Name Gollamudi S. KISHORE

Attorney Docket Number 0005.15

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ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)
☐ Reply to Missing Parts/
 Incomplete Application
☐ Reply to Missing Parts
 under 37 CFR 1.52 or 1.53
☐ Drawing(s)☐ Licensing-related Papers☐ Petition
☐ Petition to Convert to a
 Provisional Application
☐ Power of Attorney, Revocation
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☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☒ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please identify
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name NEKTAR THERAPEUTICS

Signature

Printed name

Guy V. Tucker

Date

16 Aug 2007

Reg. No.

45,302

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

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Anna Tran

Date

08/16/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OF COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 0005.15

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: John S. PATTON, et al.)
Application No.: 10/612,376)
Filed: July 1, 2003)
For: METHODS AND COMPOSITIONS)
FOR THE PULMONARY DELIVERY)
INSULIN)

Group Art Unit: 1615
Examiner: Gollamudi S. Kishore
Confirmation No.: 3702

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed May 18, 2007; final rejection of claims 26-43 are objected to.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Notice of Appeal fee due \$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(3)) for one month:

Fee

If an additional extension of time is required, please consider this a petition therefore.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

TOTAL FEE DUE \$500.00

08/17/2007 SSITHIB1 00000027 500348 10612376

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PATENTApplication NO. 10/612,376
Attorney Docket: 0005.15**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$500.00 to Deposit Account No. 500348. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this transmittal is attached.

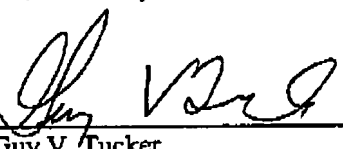
6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 500348.

Date:

16 AUG 2007

By:


Guy V. Tucker
Reg. No. 45,302

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San Carlos, CA 94070
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Notice of Appeal from the Primary Examiner to Board—page 2 of 2